

## REMARKS

### I. Overview

Claims 15-16, 27-35, and 40-51 are pending. Applicant has amended claims 15, 16, and 27 herein to more clearly identify the subject matter for which Applicant seeks protection.

Applicant would like to thank the Examiner for the interview conducted August 3, 2006. During the interview, Applicant's representative and the Examiner discussed amendments, made herein, that further distinguish Applicant's claims over Cluts and Nakajima.

The Examiner rejected claims 15, 16, and 27-34, 40-43, and 45-50 under 35 U.S.C. § 102(b) over Cluts, and claims 35, 44, and 51 under 35 U.S.C. § 103(a) over Cluts in view of Nakajima.

### II. Applicant's Disclosure

Applicant's disclosure describes an item recommendation system in which a user selects multiple seed items and receives a list of recommended items based on the multiple selected seeds. As recited in the claims, Applicant's disclosure allows a user to assemble a group of seed items that is representative of the type of items that the user is presently trying to find.

### III. The Prior Art: Cluts

Cluts describes a music-on-demand system in which a user selects songs on a network to add to a playlist of songs to be played. One function of Cluts allows a user to select a "more" button to add songs to the user's playlist that are similar to the currently playing song. Cluts is specifically limited to using a single selected song as a seed for finding recommended songs: "the present invention provides systems and methods for using a seed song (e.g., the current song) to add new songs to a playlist." Cluts, col.14:13-16 (emphasis added). Accordingly, Cluts fails to teach or suggest using

multiple items selected by a user as seeds or using multiple seeds to generate recommendations.

#### IV. The Prior Art: Nakajima

Nakajima, cited by the Examiner for teaching draggable controls, describes a document scrap system in which a user selects a portion of a document to create a document scrap for incorporation into other documents. When a user selects a single portion of a document and drags that portion to the desktop, a document scrap is created. When the user drags the document scrap into another document, the originally selected portion of the first document is inserted into the second document. Nakajima contains no teaching of item recommendations. Accordingly, Nakajima fails to teach or suggest using multiple selected items as seeds or using multiple seeds to generate recommendations.

#### V. Rejections Under 35 U.S.C. 102(b) Over Cluts

The Examiner rejected claims 15, 16, and 27-34, 40-43, and 45-50 under 35 U.S.C. § 102(b) over Cluts. Applicant respectfully traverses this rejection.

Claims 15 recites "selecting as seed items the plurality of browsed items." Claim 16 recites "generating a list of recommended items using the selected seed items." Claim 27 recites "a control for selecting products in the group as recommendation seeds" and "adding to a list of recommendation seeds products in the group." Accordingly, each of Applicant's claims recites the use of multiple recommendation seeds for generating a list of recommended items, which is not taught by either Cluts or Nakajima. As discussed above, Cluts recommends songs based on only a single seed -- the currently playing song, and Nakajima contains no teaching regarding item recommendations at all.

Moreover, during the telephone interview, the Examiner indicated that it was unclear in claim 15 that the items recited in the second element referred to the items recited in the first element as intended by Applicant. Therefore, Applicant has amended

claim 15 to explicitly recite in the second element items "that were displayed" as referred to in the first element. Cluts does not teach selecting items that were displayed as seed items. Therefore, claim 15 is further patentable over Cluts.

The Examiner also responded to applicant's previous arguments by indicating that "Cluts discloses the system compiles a list of songs in column 18, lines 45-50" and "Cluts in Figure 10, step 1010 discloses a style slider which controls selecting products in the group as recommendation seeds." Office Action, May 10, 2006, p.6. However, the cited sections of Cluts describe manipulating a list of recommended items, not selecting seeds that are used to generate a list of recommended items as recited in applicant's claims. Applicant cannot find any part of Cluts that describes using any item other than the currently playing song as a seed item. Cluts, col.17:54. It appears to be the Examiner's position that the list of songs in Cluts contains items that are both seed items and recommended items. However, it is generally the purpose of a recommendation system to produce a list of items of which the user may not be aware (recommended items) from a list of items with which the user has some familiarity (seed items). Therefore, it would not make sense for the recommended items and seed items to be the same or subsets of one another. Nevertheless, applicant has amended each of the claims to explicitly recite that the recommended items do not include the seed items.

In view of the foregoing, Applicant respectfully requests that this rejection be withdrawn.

#### VI. Rejections Under 35 U.S.C. 103(a) Over Cluts and Nakajima

The Examiner rejected claims 35, 44, and 51 under 35 U.S.C. § 103(a) over Cluts in view of Nakajima. Applicant respectfully traverses this rejection.

Claims 15, the independent claim on which claim 44 depends, recites "selecting as seed items the plurality of browsed items." Claim 16, the independent claim on which claim 51 depends, recites "generating a list of recommended items using the selected seed items." Claim 27, upon which claim 51 further depends, recites "a control

for selecting products in the group as recommendation seeds" and "adding to a list of recommendation seeds products in the group." Accordingly, each of Applicant's claims recites the use of multiple recommendation seeds which is not taught by either Cluts or Nakajima. As discussed above, Cluts recommends songs based only on the currently playing song, and Nakajima contains no teaching regarding item recommendations at all. Therefore, Applicant's claims are patentable over Cluts and Nakajima, either alone or in combination. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In addition, it is unclear how it would be possible to combine the system of Nakajima with Cluts to produce Applicant's claims 35, 44, or 51. Cluts cannot be combined with Nakajima to produce a system that teaches "wherein the control displayed for a distinguished product group is a dragable portion of the information describing the product group, together with a destination region," as recited, for example, in claim 35. Cluts does not describe dragging at all, and Nakajima only describes dragging portions of documents to the desktop for later reuse in other documents. The control recited by Applicant's claims is for selecting recommendation seeds. These references do not describe an operable combination that teaches a dragable control for selecting recommendation seeds. Even if the cited art taught the recited elements, a position refuted by Applicant above, there is no teaching or suggestion within either Cluts or Nakajima to combine these references in any way, much less to produce Applicant's invention.

In view of the foregoing, Applicant respectfully requests that this rejection be withdrawn.

## VII. Conclusion

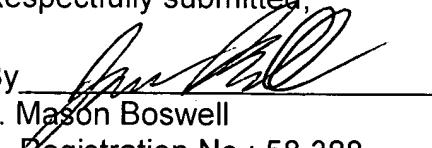
Based upon these remarks and amendments, Applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3265. Applicant believes all required fees are being paid in connection with this response.

However, if an additional fee is due, please charge our Deposit Account No. 50-0665, under Order No. 249768045US from which the undersigned is authorized to draw.

Dated:

8/10/2006

Respectfully submitted,

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